

PROFESSIONAL EXPERIENCE

BERGER SINGERMANN LLP, Miami, FL

Aug. 2007–Present

Partner

Represented clients in all aspects of complex commercial litigation actions, including defense of RICO claims, commercial disputes, fraud actions, bankruptcy-related litigation, representation of court-appointed fiduciaries, employment litigation, restrictive covenant injunction litigation, and ADR proceedings. Drafted pleadings, motions, and discovery requests. Supervised and mentored associate attorneys. Prepared clients for depositions, mediation, and trial, defended and prosecuted depositions. Argued motions relating to discovery disputes, case-dispositive motions, evidentiary matters, and ESI-related spoliation motions. State and federal jury and bench trial experience. Supervised, quality checked, and organized complex document review projects.

Representative Engagements:

- Litigated discovery dispute regarding access to data held on a proprietary cloud storage platform, including extensive litigation of third privacy rights in federal bankruptcy court.
- Represented multiple court-appointed receivers appointed based upon defendant's violations of Florida's Deceptive and Unfair Trade Practices Act (Chapter 501, Fla. Stat.), and the FTC Act.
- Represented victims of data breaches related to their reporting and compliance obligations under state and federal law, including HIPAA, HITECH, and developed litigation defense strategy.
- Defended Fortune 1000 company in litigations in multiple state and federal district courts related to alleged consumer fraud.
- Represented employers in injunction actions related to violations of restrictive covenants, tortious interference.
- Drafted privacy policies and terms of use policies for web sites.

SIEGFRIED, RIVERA, LERNER, DE LA TORRE & SOBEL, P.A., Coral Gables, FL

June 2004–July 2007

Associate (Sept. 2005–July 2007) · **Law Clerk** (June 2004–Sept. 2005)

Drafted correspondence, pleadings, motions, and discovery requests for construction - related lawsuits in federal and state court. Argued motions and conducted arbitrations, mediations, contract negotiations, depositions, and document productions.

MIAMI-DADE OFFICE OF THE PUBLIC DEFENDER, Miami, FL

Jan. 2005–May 2005

Certified Legal Intern, Felony Division

Represented indigent criminal defendants in daily court calendar hearings, arraignments, bond hearings, and evidence suppression hearings. Researched case law, drafted motions, and conducted depositions.

VERID, INC., Ft. Lauderdale, FL

July 2003 –Jan. 2004

Research Clerk

Researched domestic and foreign financial privacy law, Social Security Number disclosure law, Patriot Act, and identity theft-related legislation.

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF FLORIDA, Miami, FL Summer 2003

Judicial Intern for the Honorable A. Jay Cristol

CITIBANK, Ballwin, MO

Nov. 2001–Aug. 2002

Technology Auditor · Continuity of Business Administrator

Conducted internal project analysis/implementation feasibility studies, and managed disaster recovery planning for multiple CitiMortgage physical locations.

EDUCATION

The University of Miami School of Law, Coral Gables, FL

Juris Doctor, *cum laude*, 2005

Class Rank: Top 20% • Dean's List • Arthur J. Morris Law Scholar 2004–2005

Washington University, St Louis, MO

Bachelor of Arts, History, *cum laude*, with Eliot Honors, 2000

Earned 12 Credits toward Master of Information Management

Cornelius Scholarship Recipient, 1996–2000 • College of Arts and Sciences Scholar, 1998–2000 • Sidney Guller Honorary Scholar, 1998–1999 • Washington University Interfraternity Council President, 1999 • School of Arts & Sciences Senior Class Gift Committee Chairman, 1999–2000

SELECTED AWARDS, PRESENTATIONS, AND PUBLICATIONS

- Quoted Authority on Virtual Currency and Data Privacy:

Quoted in: "Bitcoin Legal Experts: nChain SegWit Criticisms are Flawed," CoinDesk, June 28, 2017;

"Criminals who use Bitcoin Targeted Under Proposed Florida law," Miami Herald, April 21, 2017;

"Fork Fallout? A Bitcoin Split Could Become a Legal Mess," CoinDesk, March 23, 2017;

"The Rise of Bitcoin: Why Bytes are worth more than gold- for now," Christian Science Monitor, Mar. 4, 2017;

"Congress Concerned about Bitcoin and Money Laundering," McClatcheyDC, Sept. 26, 2016;

"What is Blockchain and How Does it Apply to Real Estate?," Realcomm, Mar. 31, 2016;

"Actual Condo, Virtual Price- Buying Via Bitcoin," Philadelphia Inquirer, Jan. 19, 2016;

"Opinion: Bitcoin Poses Unique Challenges for Lawyers," Oct. 16, 2015, Tennessee Bar Association,

"Japanese ruling triggers debate over bitcoin ownership rights," *EconoTimes*, Aug. 2, 2015;

"Is Bitcoin Made from Titanium? Currency on Rebound Despite Hack, Price Plunge," Tech Times Jan. 7, 2015;

"Justice Watch: Bitcoin, What Is It and Why It Stirs Worries Of Criminal Activity," *Daily Business Review*, Mar. 21, 2014;

"BYOD: California Ruling a Wakeup Call," *InformationWeek*, Aug. 22, 2014;

"Security in the Wild West of the Internet," *Law Technology News*, Nov. 21, 2013;

"Can Twitter Curb Growing Black Market for Fake Followers After IPO?" *Huffington Post*, Nov. 7, 2013.

- Speaker and Panelist Regarding Technology Issues:

Regulatory Panel, BlockchainDC, July 28, 2017, Washington D.C.;

"ICOs and a Survey of Florida Law," Wyncode Academy, June 3, 2017, Miami, FL;

"Bitcoin and Matrimonial Law," American College of Matrimonial Lawyers, 39th Annual Institute, May 4, 2017, Orlando, FL;

"Bitcoin and Estate Planning," Notre Dame Tax & Estate Planning Institute, South Bend, IN, Oct. 29, 2016;

Fintech Worldwide Blockchain DC, Panelist, Aug. 2, 2016, Washington D.C.,

"BitCounting," American Women's Society of Certified Public Accountants, Boca Raton, FL, Jul. 25, 2016;

"Beyond Bitcoin; How Blockchain Will Change Real Estate Forever," MIT World Real Estate Forum, Cambridge, MA, May 20, 2016;

"CLE: Bitcoin," The Bar Association of Montgomery County, Maryland, Rockville, MD Feb. 4, 2016;

"Blockchain: The Next Big Thing in Capital Markets?" Misys Connect Forum Americas, Miami, FL Nov. 10, 2015;

"Bitcoin and Real Property," American Bar Association Real Property & Trust and Estates Spring Symposium, Washington DC, Apr. 30, 2015;

"Bitcoin and Real Property," Old Republic Title Company Annual Conference of Counsel, Tampa, FL Apr. 16, 2015;

"The Law of Fake Followers," World Social Media Day Miami, Miami, FL, June 30, 2013.

- Published Authority on ESI, Data Privacy and Virtual Currency:

"Florida's Money Laundering Statute Won't Affect Most Bitcoin Users," CoinDesk, April 28, 2017;

Andrew M. Hinkes, Esq.

"Protecting Consumers in the Digital Currency Economy," CoinDesk, October 25, 2016, (Contributing Author);
"Why Florida's Bitcoin Ruling Could Lead to Legislative Action," CoinDesk, August 3, 2016;
"Hacks Happen: What Are Your Rights in Florida If You Are Hacked?" Daily Business Review, June 22, 2016;
"A Legal Analysis of the DAO Exploit and Possible Investor Rights," Bitcoin Magazine, June 21, 2016;
"The Law of The DAO," CoinDesk, May 19, 2016;
"Bitcoin In Bankruptcy: Is It Commodity Or Currency?" Law 360, Feb. 18, 2016;
"Beyond Regulation: Why Bitcoin's Pressing Problem is Civil Law," CoinDesk, Feb. 2, 2016;
"Why Private Blockchains will not Replace Relational Databases (yet)" The Business Journals, Jan. 19, 2016;
"Why Lawyers Collecting Judgments Need to Understand Bitcoin," The Business Journals, Aug. 19, 2015;
"What Your Business can Learn from the Chrysler Car hack, " The Business Journals, Aug. 17, 2015;
"What Bankruptcy Trustees Need To Know About Bitcoin" Law 360, Jun. 8, 2015;
"Two Key Lessons from Sand Hill Exchange" Bitcoin Magazine, May 6, 2015;
"A Closer Look At Florida's Attempt To De-Anonymize Websites," *Law360*, Mar. 20, 2015;
"Cybersecurity for Distributed Virtual Currency Businesses," *Inside Counsel*, Jul. 2, 2014;
"BYOD Policies – A Litigation Perspective," *Corporate Counsel*, American Bar Association Section of Litigation Monthly Newsletter, Vol. 27, No. 2, Spring 2013;
"Cloud Computing and Unexpected FCPA Jurisdiction," *Corporate Counsel*, May 21, 2013;
"Caution Urged in Developing Data Protection Strategies," *Daily Business Review*, Jun. 19, 2012;
"Cloud Computing: New Discovery Challenges Await," co-authored with Gavin Gaukroger, Esq., *The Federal Lawyer*, Feb. 2011.

- Academic/Lecturing Experience:

Guest Lecturer, NYU Law School/NYU Stern "Digital Currency, Blockchains and the Future of the Financial Services Industry," Ethereum and Smart Contracts, Apr. 18, 2017;
Faculty Seminar, Jun. 13, 2016, NYU Pollack Center for Law and Business, "Understanding TheDao: An Analysis of Select Legal and Operational Issues related to Daos and TheDao";
Guest Lecturer, Mar. 12, 2016, NYU Wagner School of Public Service: Intelligent Cities, "The Emerging Law of Autonomous Vehicles."

- Peer Reviewer:

2016-2017, Ledger Journal, University of Pittsburgh.

- Doctoral Advisor:

Angelina Pluzhnyk, doctorate expected 2019, University of Bradford, UK, advising Ms. Pluzhnyk on governance and valuation issues for blockchain-derived autonomous and pseudo-autonomous business and/or corporate structures.

- Legal Recognition:

Florida Super Lawyers, Business Litigation, E-Discovery, Employment & Labor (2014); "Rising Star" (2013, 2015);
Florida Trend Magazine's "Legal Elite" (Up & Comer, 2010, 2013, 2015);
South Florida Legal Guide, Top Up and Comer, 2016-2017.

MEMBERSHIPS AND CIVIC INVOLVEMENT

Active Member, E-Discovery Committee, Digital Currency Task Force, Business Law Section of The Florida Bar • Young President, Mt. Sinai Medical Center Foundation • Member, Digital Currency Council